

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS VER,
Plaintiff,
v.
ALFREDO HURTADO,
Defendant.

Case No. [12-cv-01365-JST](#)

**ORDER DISMISSING REMAINING
BATTERY CLAIM WITHOUT
PREJUDICE**

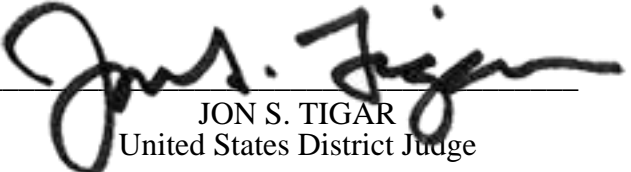
Re: ECF No. 32

All claims over which the Court had original jurisdiction were dismissed per the parties' stipulation on April 15, 2013. ECF No. 27. The only remaining claim arises exclusively out of California law. See ECF No. 1, Compl. ¶¶ 16-19 (asserting claim for battery against Defendant Alfredo Hurtado); ECF No. 30, Case Management Statement at 2 (stating that after the dismissal of the federal claims, "[t]his action is simply a battery action against Defendant Hurtado under California law").

On June 5, 2013, the Court ordered Plaintiff Ver to show cause, in writing, by June 19, 2013, why the Court should not decline to exercise supplemental jurisdiction over the remaining battery claim under 28 U.S.C. § 1367(c). As of the date of this order, Ver has not responded to the order to show cause. Accordingly, the Court declines to exercise supplemental jurisdiction over the remaining battery claim. Such claim is DISMISSED WITHOUT PREJUDICE. Ver may re-file it in state court. The Clerk shall terminate this action.

IT IS SO ORDERED.

Dated: July 3, 2013


JON S. TIGAR
United States District Judge